



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,423	02/17/2004	Harshad N. Kamat	ID-670 (80230)	2010

27975 7590 04/18/2006

ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST P.A.
1401 CITRUS CENTER 255 SOUTH ORANGE AVENUE
P.O. BOX 3791
ORLANDO, FL 32802-3791

EXAMINER

LE, DANH C

ART UNIT PAPER NUMBER

2617

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/780,423

Applicant(s)

KAMAT, HARSHAD N.

Examiner

DANH C. LE

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-15,18-28 and 31-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-15,18-28 and 31-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4-15, 18-28, 31-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chesnais (US 2002/0078704) in view of Dugan (US 6,779,030).

As to claim 1, Chesnais teaches a system for notifying a user of an event comprising:

an alert engine module that receives an alert in a Simple Mail Transfer Protocol (SMTP) indicative of a notification for an event corresponding to a stored message on a server and transforms the alert from the Simple Mail Transfer Protocol (SMTP) into a communications format that is preferred by a user and delivers the alert to a target address preferred by a user.

Chesnais fails to teach transform the alert only one time into the communication format. Dugan teaches transform the alert only one time into the communication format (col.73, lines 18-31). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Dugan into the system of Chesnais in order to convert the formatting of alert message to corresponding

to the media type of the alternative message address as Dugan suggested on col.73, lines 18-31).

As to claim 4, Chesnais teaches a system according to Claim 1, wherein said alert engine module is operative to transform the alert based on a header and/or format of a target address (paragraph 0013).

As to claim 5, Chesnais teaches a system according to Claim 1, wherein said alert engine module is operative to deliver the alert to an appropriate gateway for the communications format (paragraph 0256).

As to claim 6, Chesnais teaches a system according to Claim 1, wherein said target address comprises a mobile device (figure 3, 220g).

As to claim 7, Chesnais teaches a system according to Claim 6, wherein said alert engine module is operative for transforming the alert based on the type of mobile device (figure 3, 220a-220g).

As to claim 8, Chesnais teaches a system according to Claim 1, wherein said communications format comprises a Short Messaging Service (SMS) message (paragraph 0031).

As to claim 9, Chesnais teaches a system according to Claim 1, wherein said SMS message comprises a default message for an alert (paragraph 0043).

As to claim 10, Chesnais teaches a system according to Claim 1, wherein said communications format comprises a Wireless Application Protocol (WAP) message (paragraph 0043).

As to claim 11, Chesnais teaches a system according to Claim 1, wherein said communications format comprises an email message (paragraph 0038).

As to claim 12, Chesnais teaches a system system according to Claim 1, wherein said communications format comprises an Over-the-Air (OTA) message (paragraph 0038).

As to claim 13, Chesnais teaches a system according to Claim 1, wherein said communications format comprises a Pocketpc (PPC) message (paragraph 0038).

As to claim 14, Chesnais teaches a system system for notifying a user of an event by an alert (figure 5) comprising:

an input queue (234) that receives and queue a plurality of alerts indicative of a notification for an event (40 and paragraph 0033, 0248) corresponding to a stored message on a server (110); and

an alert engine module (250) that pulls the alerts received in a Simple Mail Transfer Protocol (SMTP) and indicative of notifications for events corresponding to stored messages on at least one server; and

an alert engine module that pulls the alerts from the input queue and transforms each alert from the Simple Mail Transfer Protocol (SMTP) into a communications format that is preferred by a user based on alert content and delivers each alert for a respective event to a target address in the communications format preferred by a user.

Chesnais fails to teach transform the alert only one time into the communication format. Dugan teaches transform the alert only one time into the communication format (col.73, lines 18-31). Therefore, it would have been obvious to one of ordinary skill in

the art at the time the invention was made to provide the teaching of Dugan into the system of Chesnais in order to convert the formatting of alert message to corresponding to the media type of the alternative message address as Dugan suggested on col.73, lines 18-31).

As to claim 15, Chesnais teaches a system according to Claim 14, and further comprising an output queue (paragraph 0192, 292) for queuing alerts for delivery in a preferred format.

As to claim 18, Chesnais teaches a system according to Claim 14, wherein said alert engine module is operative to transform the alert based on a header and/or format of a target address (paragraph 0013).

As to claim 19, Chesnais teaches a system according to Claim 14 system according to Claim 14, wherein said alert engine module is operative to deliver the alert to an appropriate gateway for the communications format (paragraph 0256).

As to claim 20, Chesnais teaches a system according to Claim 14, wherein said target address comprises a mobile device (figure 3, 220).

As to claim 21, Chesnais teaches a system according to Claim 14, system according to Claim 14, wherein said alert engine is operative for transforming the received alert based on the type of mobile device (figure 3, 220a-220g).

As to claim 22, Chesnais teaches a system according to Claim 14, wherein said communications format comprises a Short Messaging Service (SMS) message (paragraph 0031).

As to claim 23, Chesnais teaches a system according to Claim 22, wherein said SMS message is a default message (paragraph 0043).

As to claim 24, Chesnais teaches a system according to Claim 14, wherein said communications format comprises a Wireless Application Protocol (WAP) message (paragraph 0043).

As to claim 25, Chesnais teaches a system according to Claim 14, wherein said communications format comprises an email message (paragraph 0038).

As to claim 26, Chesnais teaches a system according to Claim 14, wherein said communications format comprises an Over-the-air (OTA) message (paragraph 0038).

As to claim 27, Chesnais teaches a system according to Claim 14, wherein said communications format comprises a Pocketpc (PPC) message (paragraph 0043).

As to claim 28, Chesnais teaches a method of notifying a user of an event comprising the steps of:

receiving an alert in a simple mail transfer protocol (SMTP) within an alert engine module that is indicative of a notification for an event corresponding to a stored message on a server (paragraph 0033, 0248); and

transforming the alert from the Simple Mail Transfer Protocol (SMTP) into a communications format that is preferred by a user and delivering the alert from the alert engine module to a target address in the communications format that is preferred by a user.

Chesnais fails to teach transform the alert only one time into the communication format. Dugan teaches transform the alert only one time into the communication format (col.73, lines 18-31). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Dugan into the system of Chesnais in order to convert the formatting of alert message to corresponding to the media type of the alternative message address as Dugan suggested on col.73, lines 18-31).

As to claim 29, Chesnais teaches a method according to Claim 28, wherein the step of receiving an alert comprises the step of receiving an email (paragraph 0038).

As to claim 30, Chesnais teaches a method according to Claim 29, wherein the email comprises a Simple Mail Transport Protocol (SMTP) message (paragraph 0091).

As to claim 31, Chesnais teaches a method according to Claim 28, and further comprising the step of transforming the alert based on a header and/or format of the target address (paragraph 0013).

As to claim 32, Chesnais teaches a method according to Claim 28, and further comprising the step of delivering the alert to an appropriate gateway for the communications format (paragraph 0256).

As to claim 33, Chesnais teaches a method according to Claim 28 and further the step of delivering the alert to a mobile comprising device (figure 3, 220).

As to claim 34, Chesnais teaches a method according to Claim 33, and further comprising the step of delivering the alert in a communications format based on the type of mobile device (figure 3, 220a-220g).

As to claim 35, Chesnais teaches a method according to Claim 33, wherein said communications format comprises a Short Messaging Service (SMS) message (paragraph 0031).

As to claim 36, Chesnais teaches a method according to Claim 35, where said SMS message is a default message (paragraph 0043).

As to claim 37, Chesnais teaches a method according to Claim 28, wherein said communications format comprises a Wireless Application Protocol (WAP) message (paragraph 0043).

As to claim 38, Chesnais teaches a method according to Claim 28, wherein said communications format comprises an email message (paragraph 0038).

As to claim 39, Chesnais teaches a method according to Claim 28, wherein said communications format comprises an Over-the-Air (OTA) message (paragraph 0038).

As to claim 40, Chesnais teaches a computer-readable medium comprising an alert engine module that receives an alert in a simple mail transfer protocol indicative of a notification for an event corresponding to a stored message on a server (paragraph 0033 and 0248) and transform the alert from the simple mail transfer protocol into a communication format that is referred by the user

and delivers the alert to a target address in a communications format that is preferred by a user (paragraph 0091 and 0192).

Chesnais fails to teach transform the alert only one time into the communication format. Dugan teaches transform the alert only one time into the communication format (col.73, lines 18-31). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Dugan into the system of Chesnais in order to convert the formatting of alert message to corresponding to the media type of the alternative message address as Dugan suggested on col.73, lines 18-31).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. Koch (US 2005/0058268) teaches customized alerts for incoming messages.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C. LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Danh", is written over a horizontal line.

April 11, 2006.

DANH CONG LE

PRIMARY EXAMINER